

CITY OF SHEBOYGAN
SEVENTEENTH REGULAR COMMON COUNCIL MEETING
MINUTES

Monday, December 05, 2022

OPENING OF MEETING

1. Roll Call

Alderspersons Ackley, Dekker, Felde, Heidemann, Mitchell, Perrella, Ramey (remote), Rust, and Salazar – 9.

Aldersperson excused: Filicky-Peneski – 1.

2. Pledge of Allegiance

3. Approval of Minutes

MOTION TO APPROVE THE MINUTES FROM THE SIXTEENTH REGULAR COUNCIL MEETING HELD ON NOVEMBER 21, 2022

Motion made by Felde, Seconded by Dekker.

Voting Yea: Ackley, Dekker, Felde, Heidemann, Mitchell, Perrella, Ramey, Rust, Salazar – 9.

4. Mayor's Appointments

Business Improvement District 2023-2024 (Paul Rudnick, Eileen Simenz, Stephanie Rankun, Greg Van Demark, Tim Bartz, Derek Muench). Lays Over.

5. Confirmation of Mayoral Appointments

Cheryl Sohn to the Sustainability Task Force and Cleo Messner to the Redevelopment Authority

MOTION TO CONFIRM

Motion made by Felde, Seconded by Dekker.

Voting Yea: Ackley, Dekker, Felde, Heidemann, Mitchell, Perrella, Ramey, Rust, Salazar – 9.

6. Public Forum

Limit of five people having five minutes each with comments limited to items on this agenda.

No one spoke.

7. Presentation

Baker Tilly 2021 Audit Review by Wendi Unger

8. Mayor's Announcements

Upcoming Community Events, Proclamations, Employee Recognitions

CONSENT

9. Motion to Receive and File all R.O.'s, Receive all R.C.'s and Adopt all Resolutions and Ordinances

Motion made by Felde, Seconded by Dekker.

Voting Yea: Ackley, Dekker, Felde, Heidemann, Mitchell, Perrella, Ramey, Rust, Salazar – 9.

10. R. C. No. 137-22-23 by Licensing, Hearings, and Public Safety Committee to whom was referred pursuant to R. O. No. 86-22-23 by City Clerk submitting various license applications; recommends granting license #3576 (South Pier Hospitality Group LLC).

MOTION TO RECEIVE THE R. C. AND GRANT THE APPLICATIONS

Motion made by Felde, Seconded by Dekker.

Voting Yea: Ackley, Dekker, Felde, Heidemann, Mitchell, Perrella, Ramey, Rust, Salazar – 9.

11. R. C. No. 133-22-23 by Public Works Committee to whom was referred Res. No. 91-22-23 by Alderpersons Dekker and Rust authorizing the acceptance of a Storm Sewer Easement and executing the Release of Utility Easement, both located in Lot 4 of South Pier plat; recommends adopting the Resolution.

MOTION TO RECEIVE THE R. C. AND ADOPT THE RESOLUTION

Motion made by Felde, Seconded by Dekker.

Voting Yea: Ackley, Dekker, Felde, Heidemann, Mitchell, Perrella, Ramey, Rust, Salazar – 9.

12. R. C. No. 134-22-23 by Public Works Committee to whom was referred Res. No. 93-22-23 by Alderpersons Dekker and Rust authorizing the purchasing of Permanent Easements and Temporary Easements in the City of Sheboygan, Sheboygan County, Wisconsin related to the Southside Sewer Interceptor; recommends adopting the Resolution.

MOTION TO RECEIVE THE R. C. AND ADOPT THE RESOLUTION

Motion made by Felde, Seconded by Dekker.

Voting Yea: Ackley, Dekker, Felde, Heidemann, Mitchell, Perrella, Ramey, Rust, Salazar – 9.

13. R. C. No. 135-22-23 by Public Works Committee to whom was referred Gen. Ord. No. 14-22-23 by Alderpersons Dekker and Rust repealing Gen. Ord. No. 20-84-85 and Gen. Ord. 38-06-07 so as to remove various two-hour parking limits around the former Aurora Sheboygan Memorial Hospital; recommends adopting the Ordinance.

MOTION TO RECEIVE THE R. C. AND ADOPT THE ORDINANCE

Motion made by Felde, Seconded by Dekker.

Voting Yea: Ackley, Dekker, Felde, Heidemann, Mitchell, Perrella, Ramey, Rust, Salazar – 9.

REPORT OF OFFICERS

14. R. O. No. 88-22-23 by City Clerk submitting a claim from Cristy Murray for alleged damages to her vehicle when it was hit by a garbage truck. REFER TO FINANCE AND PERSONNEL COMMITTEE
15. R. O. No. 89-22-23 by City Clerk submitting a Summons and Complaint in the matter of Wal-Mart Real Estate Business Trust vs. City of Sheboygan. REFER TO FINANCE AND PERSONNEL COMMITTEE

RESOLUTIONS

16. Res. No. 96-22-23 by Alderpersons Mitchell and Filicky-Peneski authorizing retaining outside legal counsel to represent the City in the matter of Wal-Mart Real Estate Business Trust v. City of Sheboygan, and authorizing payment for said services. SUSPEND THE RULES AND ADOPT THE RESOLUTION

MOTION TO SUSPEND THE RULES AND ADOPT THE RESOLUTION

Motion made by Mitchell, Seconded by Dekker.

Voting Yea: Ackley, Dekker, Felde, Heidemann, Mitchell, Perrella, Ramey, Rust, Salazar – 9.

17. Res. No. 95-22-23 by Alderpersons Mitchell and Filicky-Peneski authorizing the appropriate City officials to remove certain uncollected delinquent personal property taxes and uncollected accounts receivable from the City of Sheboygan's general ledger. REFER TO FINANCE AND PERSONNEL COMMITTEE
18. Res. No. 97-22-23 by Alderpersons Mitchell and Filicky-Peneski expressing the intent of the Common Council of the City of Sheboygan to exercise its police powers in levying a special assessment for the 2022 cost of operating and maintaining the off-street parking facilities within the Parking Assessment District No. 1. REFER TO FINANCE AND PERSONNEL COMMITTEE
19. Res. No. 98-22-23 by Alderpersons Mitchell and Filicky-Peneski expressing the intent of the Common Council of the City of Sheboygan to exercise its police powers in levying a special assessment for the 2022 cost of operating and maintaining the off-street parking facilities within the Parking Assessment District No. 2. REFER TO FINANCE AND PERSONNEL COMMITTEE
20. Res. No. 99-22-23 by Alderpersons Mitchell and Filicky-Peneski expressing the intent of the Common Council of the City of Sheboygan to exercise its police powers in levying a special assessment for the 2022 cost of operating and maintaining the off-street parking facilities within the Parking Assessment District No. 4. REFER TO FINANCE AND PERSONNEL COMMITTEE
21. Res. No. 100-22-23 by Alderpersons Mitchell and Filicky-Peneski expressing the intent of the Common Council of the City of Sheboygan to exercise its police powers in levying a special assessment for the 2022 cost of operating and maintaining the off-street parking facilities within the Parking Assessment District No. 5. REFER TO FINANCE AND PERSONNEL COMMITTEE
22. Res. No. 106-22-23 by Alderpersons Mitchell and Filicky-Peneski authorizing an adjustment to the 2022 budget to fund unanticipated plumbing repairs at the Municipal Service Building. REFER TO FINANCE AND PERSONNEL COMMITTEE
23. Res. No. 105-22-23 by Alderpersons Mitchell and Filicky-Peneski authorizing the issuance of a refund for excess property tax payable to Sheboygan Paper Box Co. related to 2020 and 2021 real estate taxes for Parcel No. 59281318401. REFER TO FINANCE AND PERSONNEL COMMITTEE
24. Res. No. 104-22-23 by Alderpersons Mitchell and Filicky-Peneski authorizing the issuance of a refund for excess property tax payable to Mang Thao and Shoua Xiong related to 2021 real estate tax for Parcel No. 59281321771. REFER TO FINANCE AND PERSONNEL COMMITTEE
25. Res. No. 103-22-23 by Alderpersons Mitchell and Filicky-Peneski authorizing an adjustment to the 2022 budget to fund unanticipated vehicle fuel costs. REFER TO FINANCE AND PERSONNEL COMMITTEE
26. Res. No. 101-22-23 by Alderpersons Mitchell and Filicky-Peneski authorizing the transfer of funds to repay advances made to Tax Increment District 10 Fund from the General Fund. REFER TO FINANCE AND PERSONNEL COMMITTEE
27. Res. No. 102-22-23 by Alderpersons Mitchell and Filicky-Peneski authorizing the transfer of funds to repay advances made to Environmental Tax Increment District 1 Fund from the Capital Projects Fund. REFER TO FINANCE AND PERSONNEL COMMITTEE
28. Res. No. 107-22-23 by Alderpersons Mitchell and Filicky-Peneski adopting updated wage classifications in the 2022 City of Sheboygan Compensation Program for Non-Represented Employees to reflect the recommended changes determined through the appeals process. REFER TO FINANCE AND PERSONNEL COMMITTEE

29. Res. No. 108-22-23 by Alderpersons Mitchell and Filicky-Peneski pursuant to Sections 82-31 and 82-54, Sheboygan Municipal Code, adopting changes to the classification plan effective January 1, 2023. REFER TO FINANCE AND PERSONNEL COMMITTEE
30. Res. No. 109-22-23 by Alderpersons Mitchell and Filicky-Peneski authorizing entering into a Development Agreement with Cardinal Capital Development, LLC and CCM-Press Owner, LLC regarding redevelopment of the former Sheboygan Press Building at 632 Center Avenue. REFER TO FINANCE AND PERSONNEL COMMITTEE

REPORT OF COMMITTEES

31. R. C. No. 131-22-23 by Finance and Personnel Committee to whom was referred Res. No. 92-22-23 by Alderpersons Mitchell and Filicky-Peneski authorizing submitting a Substantial Amendment to the U.S. Department of Housing and Urban Development (HUD) Community Development Block Grant (CDBG) program for the 2022 Program Year from revolving loan funds to water/sewer improvements; recommends adopting the Resolution.

MOTION TO RECEIVE THE R. C. AND ADOPT THE RESOLUTION

Motion made by Mitchell, Seconded by Dekker.

Voting Yea: Ackley, Dekker, Felde, Heidemann, Mitchell, Perrella, Ramey, Rust, Salazar – 9.

32. R. C. No. 132-22-23 by Finance and Personnel Committee to whom was referred Res. No. 90-22-23 by Alderpersons Mitchell and Filicky-Peneski authorizing retaining outside legal counsel to represent the City regarding Grievance #22-01 filed by International Association of Firefighters Local 483, and authorizing payment for said services; recommends adopting the Resolution.

MOTION TO RECEIVE THE R. C. AND ADOPT THE RESOLUTION

Motion made by Mitchell, Seconded by Dekker.

Voting Yea: Ackley, Dekker, Felde, Heidemann, Mitchell, Perrella, Ramey, Rust, Salazar – 9.

33. R. C. No. 136-22-23 by Finance and Personnel Committee to whom was referred R. O. No. 87-22-23 by Director of Planning and Development regarding the purchase of 1214 S. 11th Street for moving of the residential home to another city-owned site and reconstruction of the failing city owned retaining wall; recommends filing the R. O. and authorizing staff to issue a letter of intent.

MOTION TO RECEIVE THE R. C. AND FILE THE DOCUMENT

Motion made by Mitchell, Seconded by Dekker.

Voting Yea: Ackley, Dekker, Felde, Heidemann, Mitchell, Perrella, Ramey, Rust, Salazar – 9.

OTHER MATTERS AUTHORIZED BY LAW

ADJOURN MEETING

34. Motion to Adjourn

MOTION TO ADJOURN AT 6:36 PM

Motion made by Felde, Seconded by Dekker.

Voting Yea: Ackley, Dekker, Felde, Heidemann, Mitchell, Perrella, Ramey, Rust, Salazar – 9.